



Attorney Docket No.: 2300-0938.02
PATENT

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

April 18, 2005
Date

Anne Currier Carr
Anne Currier Carr

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

AMY J. WEINER et al.

Serial No.: 08/823,980

Group Art Unit: 1644

Filing Date: March 25, 1997

Examiner: Ronald B. Schwadron

Title: CONSERVED MOTIF OF HEPATITIS C VIRUS E2/NS1 REGION

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §1.97

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure set forth in 37 C.F.R. §1.56, Applicant(s) hereby submits the following information in conformance with 37 C.F.R. §§1.97 and 1.98.

☒ Pursuant to 37 C.F.R. §1.98, a copy of each document cited in the attached Forms PTO/SB/08A and PTO/SB/08B is enclosed.

☐ No copy of the publication _____ listed on the attached Form PTO/SB/08A are being provided because the Office waives the requirement under 37 C.F.R. 1.98 (a) (2) (i) for submitting a copy of each cited U.S. patent and each U. S. patent application publication for all U.S. national patent applications filed after June 30, 2003.

☐ No copies of the publications listed on the attached Form PTO/SB/08A are being provided pursuant to 37 C.F.R. §1.98(d) because the publications were previously cited by or submitted to the Office in prior Application Serial No. _____ to which the above-identified application claims priority under 35 U.S.C. §120.



☒ Enclosed is a copy of a Notice of Opposition filed in corresponding EP Application No. EP 0 697 888 and mailed on September 17, 2003, a copy of which is attached.

☐ Enclosed is a copy of a non-English publication(s) . Pursuant to §609 of the M.P.E.P., Applicant submits the attached foreign search or examination report, which cites such non-English language publication(s).

☐ Enclosed is a copy of a non-English publication(s) . English language publication (copy enclosed) claims priority from this non-English publication.

☐ Enclosed is an explanation of non-English publication(s) for which an English translation is not available.

This Information Disclosure Statement is filed within any one of the following time periods:

☐ within three months from the filing date of this national application other than a CPA under 37 C.F.R. § 1.53(d);

☐ within three months from the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in this international application;


☐ before the mailing date of a first office action on the merits; or

☒ **before the mailing of a first office action after the filing of a request for continued examination under 37 C.F.R. §1.114.**

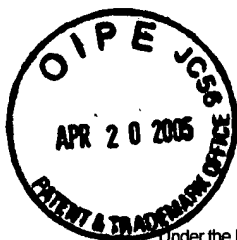
It is respectfully requested that the Examiner consider the above-noted information and return an initialed copy of the attached Forms PTO/SB/08A and PTO/SB/08B to the undersigned.

Respectfully submitted,

Date: 4/18/05

By: 
Roberta L. Robins
Registration No. 33,208

ROBINS & PASTERNAK LLP
1731 Embarcadero Road, Suite 230
Palo Alto, CA 94303
Telephone: (650) 493-3400



PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Complete if Known	
				Application Number	08/823,980
				Filing Date	March 25, 1997
				First Named Inventor	AMY J. WEINER
				Art Unit	1644
				Examiner Name	Ronald Schwadron
Sheet	1	of	2	Attorney Docket Number	2300-0938.02

U.S. PATENT DOCUMENTS+					
Examiner Initials*	Cite No. ¹	Document Number Number Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	AA	US-4,341,761	07/1982	Ganfield	
	AB	US-4,399,121	08/1983	Albarella	
	AC	US-4,427,783	01/1984	Newman	
	AD	US-4,444,887	04/1984	Hoffmann	
	AE	US-4,466,917	08/1984	Nussenzweig	
	AF	US-4,472,500	09/1984	Milstein	
	AG	US-4,491,632	01/1985	Wands	
	AH	US-4,493,890	01/1985	Morris	
	AI	US-4,517,304	05/1985	Stott	
	AJ	US-4,629,783	12/1986	Cosand	
	AK	US-4,683,195	07/1987	Mullis	
	AL	US-5,308,750	05/1994	Melita	
	AM	US-5,574,132	11/1996	Lacroix	
	AN	US-5,728,520	03/1998	Weiner	
	AO	US-5,747,239	05/1998	Wang	
	AP	US-5,756,312	05/1998	Weiner	
	AQ	US-5,766,845	06/1998	Weiner	
	AR	US-5,942,234	08/1999	Ralsten	
	AS	US-6,146,633	11/2000	Stevens	

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³	Number ⁴	Kind Code ⁵ (if known)				
	BA	EP	0 116 201	A1	08/1984	Chiron Corp.		<input type="checkbox"/>
	BB	EP	0 120 551	A2	10/1984	Chiron Corp.		<input type="checkbox"/>
	BC	EP	0 164 556	A2	12/1985	Chiron Corp.		<input type="checkbox"/>
	BD	EP	0 259 149	A2	03/1988	Univ. Saskatchewan		<input type="checkbox"/>
	BE	EP	0 360 088	A2	03/1990	Abbott Labs.		<input type="checkbox"/>
	BF	EP	0 388 232	A1	09/19/1990	Chiron Corp.		<input type="checkbox"/>
	BG	EP	0 468 527	A2	01/29/1992	United Biomedical		<input type="checkbox"/>
	BH	EP	0 725 824	B1	08/14/1996	Innogenetics		<input type="checkbox"/>
	BI	EP	0 759 937	B1	03/05/1997	Scripps Research		<input type="checkbox"/>
	BL	WO	90/11089		10/1990	Chiron Corp.		<input type="checkbox"/>
	BM	WO	92/08734		05/1992	Chiron Corp.		<input type="checkbox"/>
	BJ	WO	93/04205		04/03/1993	Abbott Labs.		<input type="checkbox"/>
	BK	WO	93/18054		09/16/1993	Innogenetics		<input type="checkbox"/>
	BL	WO	90/11089		10/1990	Chiron Corp.		<input type="checkbox"/>
	BM	WO	92/08734		05/1992	Chiron Corp.		<input type="checkbox"/>

Examiner Signature	Date Considered
--------------------	-----------------

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kind Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.



PTO/SB/08B (08-03)
Approved for use through 06/30/2006. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Complete if Known	
				<i>Application Number</i>	08/823,980
				<i>Filing Date</i>	March 25, 1997
				<i>First Named Inventor</i>	AMY J. WEINER
				<i>Art Unit</i>	1644
				<i>Examiner Name</i>	Ronald Schwadron
Sheet	2	of	2	<i>Attorney Docket Number</i>	2300-0938.02

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	CA	Esquivel et al., "T Cell Recognition of Hepatitis C Virus in Patients with Chronic Hepatitis C," <i>Gastroenterology</i> , Vol. 104, No. 4, Part 2, April 1993, one page.	
	CB	Esumi et al., <i>Vaccine</i> , Vol. 20, 2002 (abstract), pp. 3095-3103.	
	CC	Fahey et al., <i>Clin. Exp. Immunol.</i> , (1992) 88:1-5.	
	CD	Farci et al., "Prevention of Hepatitis C Virus Infection in Chimpanzees by Hyperimmune Serum Against the Hypervariable Region 1 of the Envelope 2 Protein," <i>PNAS</i> 1996, 93(26):15394-9.	
	CE	Hattori et al., "Cross-Reactivity of Anti-Hypervariable Region Antibody of HCV Infected Patients," 4 th Internat'l Meeting on Hepatitis C Virus and Related Viruses, March 6-10, 1997, Kyoto, Japan, p. 119 and abstract p. 306.	
	CF	Hijikata et al., 1991 <i>Biochemical and Biophysical Research Communications</i> 175(1):220-228.	
	CG	Lesniewski et al., <i>Chemical Abstracts</i> , (1993) 119(13):488.	
	CH	Rudinger, in <i>Peptide Hormones</i> , ed. J.A. Parsons, University Park Press, Baltimore (1976), pp. 1-7.	
	CI	Seaver, <i>Gen. Eng. News</i> , Vol. 14, (1994) pp. 10 and 21.	
	CJ	Taniguchi et al., <i>Virology</i> , (1993) 195:297-301.	
	CK	Weiner et al., <i>Frontiers of Virology</i> , Chapter 8 "Application of PCT to HCV Research and Diagnosis," (Springer Verlag) (1992) Vol. 1:86-100.	
	CL	Weiner et al., 1992 <i>Proc. Natl. Academy of Sciences</i> , 89:3468-3472.	

Examiner Signature	Date Considered
-----------------------	--------------------

¹ EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

² Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.